

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 MATTHEW WADE BEASLEY,

8 Defendant.
9

Case No. 2:23-cr-00066-JAD-DJA

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER

10 FINDINGS OF FACT

11 Based on the pending Stipulation of counsel, and good cause appearing
12 therefore, the Court finds that:

13 1. Counsel for the defendant needs additional time to conduct
14 investigation in this case in order to determine whether there are any pretrial
15 issues that must be litigated and whether the case will ultimately go to trial or will
16 be resolved through negotiations.
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18 2. The defendant is incarcerated and does not object to the continuance.

19 3. The parties agree to the continuance.

20 4. The additional time requested herein is not sought for purposes of
21 delay, but merely to allow counsel for defendant sufficient time within which to be
22 able to effectively and complete investigation of the discovery materials provided.

23 5. Additionally, denial of this request for continuance could result in a
24 miscarriage of justice. The additional time requested by this Stipulation is
25 excludable in computing the time within which the trial herein must commence
26 pursuant to the Speedy Trial Act, Title 18, United States Code, Section

1 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
2 3161(h)(7)(B)(i), (iv).

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4 **CONCLUSIONS OF LAW**

5 The ends of justice served by granting said continuance outweigh the best
6 interest of the public and the defendant in a speedy trial, since the failure to grant
7 said continuance would be likely to result in a miscarriage of justice, would deny
8 the parties herein sufficient time and the opportunity within which to be able to
9 effectively and thoroughly prepare for trial, taking into account the exercise of due
10 diligence.

11 The continuance sought herein is excludable under the Speedy Trial Act,
12 Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the
13 factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

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15 **ORDER**

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17 IT IS THEREFORE ORDERED that the parties herein shall have to and
18 including January 13, 2025 to file any and all pretrial motions and notice of
19 defense.

20 IT IS FURTHER ORDERED that the parties shall have to and including
21 January 27, 2025 to file any and all responses.

22 IT IS FURTHER ORDERED that the parties shall have to and including
23 February 3, 2025 to file any and all replies.

24 IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions,
25 proposed jury instructions, and a list of the Government's prospective witnesses
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1 must be electronically submitted to the Court before noon on May 5, 2025.

2 IT IS FURTHER ORDERED that the calendar call currently scheduled for
3 January 27, 2025, at the hour of 1:30 p.m., be vacated and continued
4 to May 5, 2025 at the hour of 1:30 p.m.; and the trial currently scheduled for
5 February 11, 2025, at the hour of 9:00 a.m., be vacated and continued to
6 May 20, 2025 at the hour of 9:00 a.m.

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8 DATED this 16th day of October, 2024.

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12 Jennifer A. Dorsey
13 United States District Judge
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